

LIBELED: 7-25-61, N. Dist. Ill. ✓

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, namely, vitamin D (804 bottles), and thiamine hydrochloride (82 cartons), had been in part omitted or abstracted from the articles; 403(a)—the label statements (804 bottles) "Each Capsule Contains * * * Vitamin D (synthetic) 500 U.S.P. Units," and (82 cartons) "Ingredients in Each Tablet * * * Thiamine Hydrochloride U.S.P. 3 mg.," were false and misleading; 403(a)—the label statements (82 cartons) "Contains 14 vitamins," and "The need for Folic Acid * * * dl-Methionine * * * Copper * * * Potassium, Magnesium * * * and d-Alpha Tocopheryl Acetate in human nutrition has not been established," were false and misleading since they were contrary to fact; and 403(f)—the information required by 403(i)(2) to appear on the label, namely, ingredient statement (82 cartons), was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 8-25-61. (82 cartons) consent—claimed by W. T. Rawleigh Co., and relabeled; (804 bottles) default—destruction.

27645. Vibraline Food Supplement tablets. (F.D.C. No. 45788. S. No. 62-173 R.)

QUANTITY: 23 boxes, each containing 60 mineral and 60 vitamin tablets, at North Kansas City, Mo.

SHIPPED: Prior to 4-13-61, from Battle Creek, Mich., by Battle Creek Dietetic Co.

LABEL IN PART: (Box) "Vibraline Food Supplement * * * 30 Day Supply * * * Directions: Two Vitamin Tablets * * * Two Mineral Tablets * * * Daily * * * Supply * * * Boron (Sodium Borate) 0.3 mg. * * * Folic Acid 1.0 mg. * * * Battle Creek Dietetic Co., Dist.; Battle Creek, Michigan."

LIBELED: 5-2-61, W. Dist. Mo. ✓

CHARGE: 402(a)(2)(C)—when shipped, the article contained food additives, namely, boron and folic acid, which are unsafe within the meaning of 409, since they and their use, or intended use, were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 9-29-61. Default—destruction.

27646. Yum Berry Milk Supplement. (F.D.C. No. 44229. S. Nos. 64-430 P, 90-989 P.)

QUANTITY: 200 cases, 12 12-oz. jars each, at Boston, Mass.

SHIPPED: 1-26-60, from Glenbrook, Conn., by Taylor-Reed Corp.

LABEL IN PART: (Jar) "Yum Berry Milk Supplement A New Fruit Flavored Syrup For Milk Drinks * * * Fortified with Vitamins B₁—B₂—D—Niacin * * * Made of cane sugar, corn syrup, true fruit flavors [less than 0.1% imitation] * * * The Taylor-Reed Corp., Glenbrook, Conn. Yum-Berry mixed as directed with 1 qt. whole milk provides."

LIBELED: 2-8-60, Dist. Mass. ✓

CHARGE: 403(a)—when shipped, the label statements "Yum Berry Milk Supplement" and "Fruit Flavored Syrup" were false and misleading since the article did not contain milk, and contained imitation flavor; 403(a)—the label statements pertaining to the content of vitamins, minerals, and food ele-